

Senate Bill 207
January 27, 2011
Presented by Ken McDonald
Senate Agriculture, Livestock, and Irrigation Committee

Mr. Chairman and committee members, I am Ken McDonald, Wildlife Bureau Chief of Montana Department of Fish, Wildlife & Parks (FWP). I am here in opposition to Senate Bill 207.

SB 207 is very unclear. It appears to treat all bison, domestic or wild, as livestock. This is a contradiction – if they are wildlife, then they are wild and not livestock. Treating wildlife as livestock is not how wildlife, including wild bison, should be managed and certainly is in conflict with Montana's rich tradition of wildlife conservation.

In reading the bill, it seems that the intent of the sponsor is to assume that MFWP is the "owner in control" or "person in charge" of wild bison, and therefore liable for trespass by wild bison, and prohibited from allowing wild bison to run at large. To be clear, FWP does not "own" wild bison or any other wildlife. FWP manages wildlife in trust for the people of Montana. No other entity is allowed to "own" wild bison. Therefore, it is difficult to understand how this bill would apply to wild bison.

Additionally, wild bison are classified as big game under Title 87 (87-2-101 MCA) and would still retain that classification – thus adding further confusion over jurisdiction of wild bison.

For these reasons, Montana Fish, Wildlife and Parks (MFWP) opposes this bill.

Finally, Senate Bill 207 is one of six bison-related bills introduced so far this year, and is one of three being heard at this same time today in three different committees. The scope and intent of these bills highlight the complexity of the issue surrounding bison, and underscore the need for extensive public dialog surrounding the issue of bison conservation. Individual bills that stymie that dialog ultimately do a disservice to the public and their interest in a high profile and important conservation issue.